



A BILL FOR AN ORDINANCE

RELATING TO THE HOUSING CODE.

BE IT ORDAINED BY the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to add unmaintained auwai that endanger public health or safety as a condition that may contribute towards a "substandard building" as defined in the city's Housing Code.

SECTION 2. Section 27-2.1, Revised Ordinances of Honolulu 1990, as amended ("Definitions"), is amended by adding the following new definition to read as follows:

"Auwai" means a waterway or canal using fresh water diverted from a stream, spring, or other water source, and which discharges into a water source at its end point."

SECTION 3. Section 27-9.1, Revised Ordinances Honolulu 1990, as amended ("Definitions"), is amended to read as follows:

"Sec. 27-9.1 Definitions.

- (a) General. "Substandard building" means any building or portion thereof which is determined to be an unsafe building in accordance with the building code; or any building or portion thereof, including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions listed or defined in subsections (b) through (n), to an extent that it endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof.
- (b) "Inadequate sanitation" shall include but not be limited to the following:
 - (1) Lack of, or improper water closet, lavatory, bathtub or shower in a dwelling unit or lodging house;
 - (2) Lack of, or improper water closets, lavatories and bathtubs or showers per number of guests in a hotel;
 - (3) Lack of, or improper kitchen sink;
 - (4) Lack of hot and cold running water to plumbing fixtures in a hotel;



A BILL FOR AN ORDINANCE

- (5) Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house;
 - (6) Lack of, or improper operation of required ventilating equipment;
 - (7) Lack of minimum amounts of natural light and ventilation required by this code;
 - (8) Room and space dimensions less than required by this code;
 - (9) Lack of required electrical lighting;
 - (10) Dampness of habitable rooms;
 - (11) Infestation of insects, vermin or rodents, as determined by the health officer;
 - (12) General dilapidation or improper maintenance;
 - (13) Lack of connection to required sewage disposal system; and
 - (14) Lack of satisfactory garbage and rubbish storage and removal facilities as determined by the health officer.
- (c) "Structural hazards" shall include but not be limited to the following:
- (1) Deteriorated or inadequate foundations;
 - (2) Defective or deteriorated flooring or floor supports;
 - (3) Flooring or floor supports of insufficient size to carry imposed loads with safety;
 - (4) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration;
 - (5) Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety;



A BILL FOR AN ORDINANCE

- (6) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split or buckle due to defective material or deterioration;
 - (7) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety;
 - (8) Fireplaces or chimneys which list, bulge or settle, due to defective material or deterioration; and
 - (9) Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.
- (d) "Nuisance." Any building or portion thereof in which there exists any nuisance as defined in this code is deemed to be a substandard building.
- (e) "Hazardous wiring" means all wiring, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner.
- (f) "Hazardous plumbing" means all plumbing, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and which is free of cross connections and siphonage between fixtures.
- (g) "Hazardous mechanical equipment" means all mechanical equipment, including vents, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good and safe condition.
- (h) "Faulty weather protection" shall include but not be limited to the following:
- (1) Deteriorated, crumbling or loose plaster;
 - (2) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors;
 - (3) Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering; and
 - (4) Broken, rotted, split or buckled exterior wall coverings or roof coverings.



A BILL FOR AN ORDINANCE

- (i) "Fire hazard" means building or portion thereof, device, apparatus, equipment, combustible waste or vegetation which, in the opinion of the chief of the fire department or the chief's deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.
- (j) "Faulty materials of construction" means materials of construction, other than those which (1) have been adequately maintained in a good and safe condition, and (2) are specifically allowed or prescribed by this code and the building code, or approved by the building official pursuant to the provisions of the building code relating to approval of alternate materials and methods of construction.
- (k) "Hazardous or unsanitary premises" means premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, unmaintained auwai, combustible materials and similar materials or conditions constitute fire, health or safety hazards.
- (l) Inadequate Exits.
 - (1) All buildings or portions thereof not provided with adequate exit facilities as required by this code shall be deemed to have inadequate exits, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and which have been adequately maintained and increased in relation to any increase in occupant load due to alteration or addition, or any change in occupancy.
 - (2) When an unsafe condition exists through lack of, or improper location of exits, additional exits may be required to be installed.
- (m) Inadequate Fire-Protection or Fire Fighting Equipment. All buildings or portions thereof which are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code shall be deemed to have inadequate fire-protection or fire fighting equipment, except those buildings or portions thereof which conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load due to alteration or addition, or any change in occupancy.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 33 (2014)

A BILL FOR AN ORDINANCE

- (n) Improper Occupancy. All buildings or portions thereof occupied for living, sleeping, cooking or dining purposes which were not designed or intended to be used for such occupancies shall be deemed improper occupancies."

SECTION 4. New ordinance material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the underscoring.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 33 (2014)

A BILL FOR AN ORDINANCE

SECTION 5. This ordinance takes effect upon its approval.

INTRODUCED BY:

Carol Fukumoto

Councilmembers

DATE OF INTRODUCTION:

APR 8 2014

Honolulu, Hawaii

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu

FILED
APR 08 2016
PURSUANT TO ROH Sec. 1-2.4